

Notice of Allowability

Application No.

10/542,830

Examiner

David R. Crowe

Applicant(s)

SETOMOTO ET AL.

Art Unit

2885

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment after final rejection filed September 14, 2007.
2. ☒ The allowed claim(s) is/are 9,10,15-19,21 and 22.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Edward Lin (Reg # 58,567) on September 21, 2007.

2. The application has been amended as follows:

Re claim 9: Replace "the one LED module" in line 15 with - - the one of the LED modules- -. Replace "other LED modules" in line 16 with - - other of the LED modules- -.

Re claim 17: Replace "the one LED module" in line 19 with - - the one of the LED modules- -. Replace "other LED modules" in line 19 with - - other of the LED modules- -.

Re claim 18: Replace "the one LED module" in line 18 with - - the one of the LED modules- -. Replace "other LED modules" in line 18 with - - other of the LED modules- -.

Re claim 19: Replace "the one LED module" in line 33 with - - the one of the LED modules- -. Replace "other LED modules" in line 33 with - - other of the LED modules- -.

3. The following is an examiner's statement of reasons for allowance: The prior art of record taken as a whole does not show nor suggest a lighting device of LED modules wherein each modules comprises a substrate, LED mounting unit, power supply terminal, luminous intensity stabilization circuit, and a thermal element with a

comparator such that when the temperature of one LED mounting unit passes a temperature threshold, the luminous intensity stabilization circuit, based on a signal from the thermal element stops current to the affected LED module only as specifically called from in the claimed combination of claim 9. The remainder of the independent claims contain at least the limitations in combination disclosed in claim 9 and are therefore allowable for the same reasons.

4. The closest prior art, Katogi et al (US 2002/0114155), does not provide each module with a power supply or luminous intensity circuit, as it Katogi et al only discloses a generic control circuit, as pointed out by the applicant and therefore would be unable to perform the function of individual reaction even if a temperature dependant circuit as suggested in Shirai (US 5,598,068) were added, as the examiner agrees Katogi et al teaches away from a plurality of main modules with all required elements as required by the claim and there is no motivation absent the applicant's own disclosure, to modify the Katogi reference in the manner required by the claim.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to David R. Crowe whose telephone number is 571-272-9088. The examiner can normally be reached on 7:30AM-5:00PM w/first Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jong-Suk (James) Lee can be reached on 571-272-7044. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

David R Crowe
Examiner
Art Unit 2885

DRC

A handwritten signature in black ink, appearing to read 'J Lee', with a stylized flourish at the end.

JONG-SUK (JAMES) LEE
SUPERVISORY PATENT EXAMINER